

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toui et al.

Art Unit: 1712

Serial No. 09/851,983

Examiner: To Be Assigned

Filed: May 9, 2001

Atty. Docket: 0261-0008

For: Top Coating Composition

PETITION FOR CORRECTION OF THE FILING DATE UNDER 37 CFR 1.181

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

BOX PETITION

Sir:

Applicants hereby request that the filing date of the above-identified application be corrected from May 10, 2001 to May 9, 2001 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17) is believed to be \$200.00. Fee payment is provided in our accompanying check No. 12582. However, if the petition under 37 CFR 1.181 requires fees other than those provided herewith, the Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622. A duplicate copy of this Petition is enclosed.

REMARKS

Applicants filed a patent application for the above-identified case on May 9, 2001 with a check for a necessary fee.

Upon receipt of an Official Filing Receipt showing an error in the filing date, Applicants requested on July 25, 2001 to correct the error from May 10, 2001 to May 9, 2001. Also, Applicants requested that a corrected Official Filing Receipt be issued and sent to the Applicant's representative. A copy of the July 25, 2001 Request is attached as Exhibit A. However, Applicants have not had a response from the Patent and Trademark Office as to that request.

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Applicants hereby file a petition to correct the filing date and to issue a corrected Official Filing Receipt to the Applicants' representative.

In support of the above request, a photocopy of the check for filing this application (Check No. 11274; Exhibit B) and a Declaration signed by Applicants' representative, Joseph G. Contrera are enclosed.

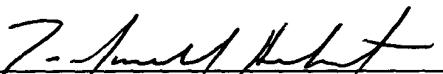
This firm has recently noticed a rise in the number of documents lost in the Patent and Trademark Office. Specifically there seems to be an increase in documents getting separated and lost from the mailroom during the period of the spring and summer of 2001. This loss of documents has necessitated repetition of filings and petitions in a number of cases for this client as well as other clients.

The problem in this case is more difficult due to the lack of stamped postcard. See Declaration of Mr. Joseph G. Contrera. Our courier was not given a return stamped postcard by the window person and the second filed postcard was not received in this firm.

As discussed above and shown by the enclosed evidences, the application was filed on May 9, 2001.

It is therefore respectfully requested that the error of the filing date be corrected, and a corrected official filing receipt be issued and officially entered into the case, which reflects the correction of all the above-noted error. It is further requested that the corrected Official Filing Receipt be sent to the undersigned at the earliest possible time.

Respectfully submitted,
SHANKS & HERBERT

By: 
Toni-Junell Herbert
Reg. No.: 34,348

Enclosure

Date: 3/5/02

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314

Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toui et al.

Serial No. 09/851,983

Filed: May 9, 2001

For: Top Coating Composition



Art Unit: 1712

Examiner: To Be Assigned

Atty. Docket: 0261-0008

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant(s) hereby request(s) that a corrected Official Filing Receipt be issued and sent to the undersigned representative.

Specifically, it is noted that the following are incorrect on the present Official Filing Receipt:

1. The Filing Date is incorrect

In support of the above request, a photocopy of the instant Official Filing Receipt is enclosed with the corrections noted in red.

It is therefore respectfully requested that a corrected Official Filing Receipt is issued and officially entered into the case, which reflects the correction of all the above-noted error(s). It is further requested that the corrected Official Filing Receipt be sent to the undersigned at the earliest possible time.

Respectfully submitted,

SHANKS & HERBERT

By:

Toni-Junell Herbert
Toni-Junell Herbert
Reg. No.: 34,348

Enclosure

Date: 7/25/01

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/851,983	05/10/2001 05/09/2001	1712	710			7	1

CONFIRMATION NO. 4118

FILING RECEIPT



OC000000006221348

Shanks & Herbert
 TransPotomac Plaza
 1033 N. Fairfax Street, Suite 306
 Alexandria, VA 22314

Date Mailed: 06/25/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Teruzo Toui, Residence Not Provided;
 Hisaki Tanabe, Residence Not Provided;
 Nobuhisa Sudo, Residence Not Provided;
 Satoshi Urano, Residence Not Provided;
 Manabu Yoshioka, Residence Not Provided;

 Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2000-135548 05/09/2000

If Required, Foreign Filing License Granted 06/23/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Top coating composition

Exhibit B

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT IS SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

11274

SHANKS & HERBERT

TRANSPOTOMAC PLAZA
1033 NORTH FAIRFAX STREET
SUITE 306
ALEXANDRIA, VA 22314

GRANDBANK

5/9/2001

65-171/550

PAY TO THE USPTO
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USPTO

MEMO For filing 0261-0008

Shane S. Gaskin

MP

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SHANKS & HERBERT
USPTO

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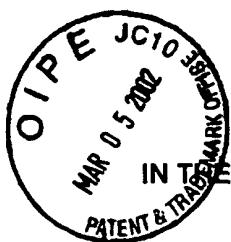
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Grand Bank Checking

For filing 0261-0008

710.00



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DECLARATION UNDER 37 CFR 1.68

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Joseph G. Contrera, as Applicants' representative, hereby declare that I signed and dated the transmittal letter of the above-identified application on May 9, 2001, and gave it with other application papers to our courier on this date for filings on May 9, 2001.

I recall the time of the courier departure to be approximately 5:00 p.m. This courier has always been extremely reliable and diligent in his filings.

When our courier delivered the application documents, he was apparently not given a stamped postcard by a window person in the Patent and Trademark office. Nor was a stamped postcard returned to this office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
SHANKS & HERBERT

By: 
Joseph G. Contrera
Reg. No.: 44,628

Date: 3/5/02

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314
(703)683-3600